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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

GEOFFREY H. WHITE ET AL

: EXAMINER: Michael Thaler

APPLICATION NO. 10/733,292

FILED: December 12, 2003

: GROUP ART UNIT: 3731

FOR: INTRALUMINAL GRAFT

TERMINAL DISCLAIMER

ASSISTANT COMMISSIONER FOR PATENTS

WASHINGTON, D.C. 20231

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Endogad Research Pty Limited is the Assignee of the entire right, title and interest, in and to the invention claimed and disclosed in the above-captioned patent application.

Endogad Research Pty Limited hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 5,782,904, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,782,904, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Endogad Research Pty Limited does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 5,782,904, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above. I am authorized to act on behalf of the Endogad Research Pty Limited .



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PATENT TRADEMARK OFFICE

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Date

7/15/2005

Respectfully Submitted,

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